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Chairman: Mr. Tommo Monthe ..... (Cameroon)

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The meeting was called to order at 3.15 p.m.

Agenda item 68: Promotion and protection of human rights (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/65/L.49)

Draft resolution A/C.3/65/L.49: Situation of human rights in the Islamic Republic of Iran

1. **The Chair** said that the draft resolution contained no programme budget implications.

2. **Mr. Gustafik** (Secretary of the Committee) said that Andorra, Croatia, Micronesia (Federated States of) and Palau had become sponsors.

3. **Mr. Larijanei** (Islamic Republic of Iran) proposed a motion of no action on the draft resolution under rule 116 of the rules of procedure of the General Assembly. Country situations should be discussed in the context of the universal periodic review rather than in the Third Committee. His country had just completed the universal periodic review. Experts in the Office of the High Commissioner for Human Rights had noted that the recent universal periodic review of Iran had been one of the most successful so far. Of some 190 recommendations, 160 had been immediately adopted and 20 were being further considered. Of those 20, 15 had been approved. In contrast, the United States of America had not accepted a single one of the 220 recommendations made when it had undergone the same process.

4. Six Special Rapporteurs had visited Iran, and two more were scheduled to visit in the near future. The High Commissioner for Human Rights was also planning a visit. It would be difficult to imagine a clearer indication of human rights cooperation.

5. **The Chair** read out rule 116 of the General Assembly's rules of procedure.

6. **Ms. Méndez Romero** (Venezuela, Bolivarian Republic of), speaking in support of the motion, said that country-specific resolutions were politically motivated and had nothing to do with human rights. All countries had the opportunity to undergo the universal periodic review, which was just and balanced. Thus, consideration of the draft resolution in the Third Committee and the General Assembly was unjustified. Such resolutions should be definitively removed from the agenda. The proposal weakened the principles of impartiality and non-selectivity.

7. **Mr. Ja'afari** (Syrian Arab Republic) said that his delegation was concerned that recurring technical problems with translation equipment were impeding the work of General Assembly Committees. Those problems also distracted some delegates when key issues were being debated or voted upon and must be investigated.

8. Many countries believed that, by continuing to criticize the human rights records of certain Member States, while ignoring the records of others, the Committee had proved itself to be a body that dealt with key issues in a selective and politicized manner. It was on that basis, and for procedural reasons, that the Syrian delegation supported the no action motion.

9. There was broad consensus that the human rights records of all Member States must be reviewed by the Human Rights Council. However, in an attempt to exploit the issue of human rights for political ends, certain Member States continued to call for the human rights records of certain specific States to be addressed at United Nations Headquarters. Syria deplored those efforts. Human rights issues must not be exploited for political ends and must be addressed in an impartial and non-selective manner.

10. **Mr. McNee** (Canada), speaking against the motion, said that the General Assembly had conferred upon the Third Committee the task of recommending action on human rights. Therefore, serious human rights concerns must be discussed in the Committee wherever they arose. Supporters of the no action motion wished to deny the members of the Third Committee the opportunity for debate and discussion.

11. In the draft resolution on Iran during the previous session, the Committee had called for a report of the Secretary-General. It would be highly unusual for the Committee to prevent itself from considering a report that it had requested, yet a no action motion would have that effect. In adopting the motion, the Third Committee would be contradicting and undermining itself and the work of the Secretary-General. The Third Committee had the right and the duty to consider human rights issues on their merits and to stand up to those who would stifle debate.

12. **Mr. Pálsson** (Iceland), also speaking in opposition to the motion on behalf of Andorra,

Argentina, Austria, Liechtenstein, Palau and San Marino, said that the General Assembly had given the Third Committee the responsibility of addressing human rights issues. The motion would prevent fulfilment of that mandate. Human rights were not the exclusive purview of the Human Rights Council and the universal periodic review. To preclude discussion of human rights in the Third Committee would undermine the credibility of the Third Committee and the General Assembly. Every serious human rights issue put before the Committee should be considered on its merits.

13. *A recorded vote was taken on the motion to adjourn the debate on draft resolution A/C.3/65/L.49.*

In favour:

Afghanistan, Algeria, Angola, Azerbaijan, Bahrain, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, Cambodia, Central African Republic, China, Comoros, Cuba, Democratic People's Republic of Korea, Egypt, Eritrea, Indonesia, Iran (Islamic Republic of), Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mali, Mauritania, Myanmar, Namibia, Nicaragua, Oman, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Against:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Belize, Bosnia and Herzegovina, Bulgaria, Burundi, Canada, Cape Verde, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gambia, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Nauru, Netherlands, New Zealand, Niger, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Trinidad and Tobago, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

Abstaining:

Antigua and Barbuda, Barbados, Benin, Bhutan, Botswana, Brazil, Burkina Faso, Cameroon, Côte d'Ivoire, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, Guyana, India, Jamaica, Jordan, Kazakhstan, Kenya, Lesotho, Malawi, Mozambique, Nepal, Nigeria, Philippines, Saint Kitts and Nevis, Saint Vincent and the Grenadines, South Africa, Togo, United Republic of Tanzania, Zambia.

14. *The motion to adjourn the debate on draft resolution A/C.3/65/L.49 was rejected by 91 votes to 51, with 32 abstentions.*

15. **Mr. McNee** (Canada) said that the human rights situation in Iran had continued to deteriorate since the Third Committee's adoption of a resolution on the situation of human rights in that country during the previous session. While all countries faced human rights challenges, the Government of Iran made no effort to protect its citizens' human rights and manifested a lack of respect for the United Nations and its human rights treaties and procedures.

16. The report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran referred to "further negative developments in the human rights situation in Iran". The Government continued to employ such practices as stoning, torture, amputation, flogging, execution by strangulation and execution of children. Its discrimination against minority groups amounted to persecution. The draft resolution called on the Government of Iran to fully respect its human rights obligations, consider ratifying international human rights instruments and receive the special procedures mandate holders. The Third Committee should give Iranians the voice that had been denied them.

17. **Ms. Gendi** (Egypt), speaking on behalf of the Movement of Non-Aligned Countries, said that human rights issues should be dealt with by means of a cooperative, non-confrontational approach based on

enhancing States' capacities and providing resources for countries to meet their human rights obligations. The universal periodic review had been established to eliminate selectivity, politicization and double standards.

18. The Non-Aligned Movement emphasized the role of the Human Rights Council as the United Nations organ responsible for consideration of human rights situations in all countries. At the fifteenth Summit of the Non-Aligned Movement in July 2009, Heads of State and Government had expressed deep concern with regard to country-specific resolutions in the Third Committee, which undermined cooperation. The universal periodic review was impartial, transparent, constructive, non-confrontational and non-politicized. There was no need to create a parallel track to the Human Rights Council in the Third Committee. The country-specific draft resolutions targeted developing countries only. Country-specific resolutions ran counter to global governance, the theme of the session which had been selected by the President of the General Assembly. The sponsors of such resolutions were confident that developing countries would not be able to submit similar ones targeting the developed countries.

19. **Mr. Larijanei** (Islamic Republic of Iran) said that the draft resolution was a continuation of a malicious trend that would harm international peace and inflict serious damage on the credibility of the United Nations. Although Canada and the European Union were sponsors, the United States of America was the mastermind and main provocateur. The draft resolution had nothing to do with human rights but was part of the hostile policy of the United States against Iran.

20. Canada had voted against a draft resolution condemning killings by Israel in Gaza. Canada itself had a dismal record on minorities. There was a clear double standard at work. The draft resolution was astonishingly unprofessional and full of fallacies and baseless, unverifiable allegations.

21. The draft resolution referred to the death penalty for crimes which lacked a precise definition, including *moharabeh* (enmity against God). In fact, the concept of *moharabeh* was at the core of the legal concept for fighting terrorism, which was the obligation of all nations. How could countries be justified in engaging in all-out war to combat terrorism while questioning Iran's effort to uproot terrorism?

22. The United States, the European Union, the United Kingdom, France and Germany were the main supporters of terrorism in Iran. Ruthless organizations such as Party for a Free Life in Kurdistan (PJAK), the Mujahidin-e Khalq (MKO) and the Rigi gang all enjoyed financial and logistical support from those countries. The leaders of those criminal groups, who were responsible for the deaths of many innocent people in Iran, were frequent visitors to the United States Congress, the German Bundestag and the Parliaments of France and the United Kingdom. The draft resolution should be rejected outright by those who did not support terrorist activity.

23. One of the greatest rewards of the Islamic Revolution had been the creation of a democratic order. Iran was the greatest democracy in the Middle East and had the greatest achievements in science and technology in the region. As a result, Iran, like Canada, produced fuel for nuclear reactors. It was number one in stem cell research and cloning technology in the region. Women occupied more than 65 per cent of university seats in Iran. Illiteracy had been eradicated. The sole crime of Iran was that its democracy was not a replica of Western democracy. Iran did not wish to be a Western democracy.

24. Protests were to be expected in democratic societies. There were massive daily protests in the United States and Western Europe. In recent years there had been enormous protests in Los Angeles. People had been killed, police beaten and shops and homes set on fire. Earlier in 2010, Paris had been like a war zone due to demonstrations. It was probably not possible to have democracy without protests, nor was it possible to prevent violence in all cases.

25. Bizarrely, the draft resolution criticized Iran for not carrying out investigations of the demonstrations of June 2009 after the presidential election. In fact, thorough investigations had been carried out and the results had shown that the protests had been funded by the United States Government. The United States had trained protestors and agitated to increase participation, leading and misleading people while doing so. People had been trained in camps, armed and dispatched into Iran to commit violence, and the United Kingdom had mobilized the media blitz against Iran. Neda Agha-Soltan, the young woman whose death had

attracted international attention, had in fact been killed by a British intelligence agent. France had sent agents to the University of Teheran, where it had trained students to organize protests against the State. The Ambassador of Germany had also played a significant role in the unrest in Teheran.

26. A great cover-up had been carried out. The Western powers had in fact no interest in human rights.

27. The draft resolution was unhealthy and dangerous. Double standards and selectivity based on political considerations were no longer exceptions in the tabling of country-specific resolutions. Gross, massive human rights violations in some parts of the world were simply overlooked. The sponsors of the draft resolution themselves lacked defensible human rights records. Canada, for example, had a poor human rights record, especially with respect to migrants, minorities and indigenous people.

28. The saddest irony was that Israel, a country whose very founding had involved the worst forms of human rights violations, war crimes, ethnic cleansing and mass murder, figured among the sponsors. The United States, also a sponsor, had the worst human rights record in history.

29. The policy of introducing a resolution against Iran did a disservice to the Iranian policy of openness and cooperation. The Committee was urged to lend no credence to the unfair, baseless claims contained in the resolution.

30. **Mr. Ja'afari** (Syrian Arab Republic), speaking in explanation of vote before the voting, said that there was broad international consensus that the Human Rights Council should periodically review the human rights situation of each Member State on an equitable basis, that human rights issues must be dealt with in a non-politicized manner and that international cooperation mechanisms must be developed in order to promote and protect those rights globally. A selective and politicized approach to human rights undermined any progress achieved by the international community in that regard. Moreover, employing double standards adversely affected the deliberations of the Human Rights Council and increased tension between States.

31. The credibility of the draft resolution was severely undermined by the fact that Israel was one of its sponsors. Syria deplored the fact that certain States that usually voted against Israeli human rights abuses in the Occupied Arab Territories had joined the sponsors. It was astonishing that those States had sided with Israel against Iran. Syria urged its friends on the list of sponsors to resist the politicization of human rights issues. Syria would vote against the draft resolution and would continue to strive to promote equality and foster a spirit of cooperation, rather than confrontation.

32. **Mr. Noziri** (Tajikistan), speaking on behalf of Member States of the Organization of the Islamic Conference, said that those States opposed the practice of submitting country-specific resolutions on human rights that deliberately targeted Islamic and developing countries for political ends. Furthermore, those draft resolutions politicized the work of human rights bodies.

33. Iran had cooperated fully with the Human Rights Council, had recently submitted three periodic reports to United Nations treaty bodies and had signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. It was regrettable that, despite Iran's cooperation with the United Nations human rights mechanisms and positive developments in the field of human rights in the country, the draft resolution had been submitted to the Committee. All States were therefore urged to oppose the draft resolution.

34. **Mr. Ali** (Sudan) said that the human rights situation in specific countries must be addressed through the Human Rights Council's universal periodic review mechanism and not by the Committee, which should not seek to duplicate the Council's work. His country welcomed Iran's cooperation with the Council, which had commended Iran on positive developments that had occurred in the field of human rights and had welcomed its willingness to adopt Council recommendations. The Sudan deplored the fact that, while turning a blind eye to human rights violations in other parts of the world, the sponsors had submitted the draft resolution on Iran for political ends and to impose certain values on Iran especially with regard to religious and cultural issues. The Sudan would vote against the draft resolution and reaffirmed its conviction that dialogue was the only effective means to address and strengthen human rights.

35. **Ms. Herrera** (Cuba) said that her country strongly opposed resolutions that blatantly targeted specific developing countries for political ends

completely unrelated to the defence of human rights. Double standards and efforts to politicize human rights issues had discredited the former Human Rights Commission. Protecting and promoting human rights could only be achieved through international cooperation based on dialogue. By fully cooperating with the Human Rights Council, Iran had demonstrated that it was fully committed to constructive engagement. Cuba would vote against the draft resolution, which was highly politicized and undermined international cooperation.

36. **Ms. Méndez Romero** (Bolivarian Republic of Venezuela), in explanation of vote before the voting, said that her country firmly rejected the ongoing practice of condemning specific States on the basis of their human rights records. Certain draft resolutions were proposed in order to promote some States' political interests rather than human rights. Moreover, States that sponsored those resolutions also committed human rights violations, yet, in a clear application of double standards, no draft resolutions criticizing their human rights records were ever put before the Committee. The sponsors and supporters of the draft resolution had no moral authority to set themselves up as a world court that judged others. Human rights issues must, instead, be considered by the Human Rights Council, which undertook impartial and non-selective reviews of human rights in all parts of the world, regardless of whether or not that was inconvenient to powerful and imperialistic States. Any measures taken by the United Nations in the field of human rights must be based on the principles of respectful dialogue, impartiality, non-selectivity and non-politicization. Venezuela would therefore vote against the draft resolution.

37. **Ms. Abubakar** (Libyan Arab Jamahiriya), speaking in explanation of vote before the voting, said that her country was gravely concerned that, on the pretext of promoting human rights, some countries were attempting to impose their ideologies and politics on others and were using human rights issues to further their political agendas. Violations of human rights could occur in all States and no country had a blameless human rights record. The Human Rights Council was the only appropriate forum in which human rights could be addressed in an impartial and non-politicized manner. To promote and protect those rights, the international community must adopt an approach based on mutual respect and dialogue and which took States' cultural, social and religious dimensions into account. In view of its firm commitment to the principles of non-selectivity and non-interference, Libya would vote against the draft resolution. That did not mean, however, that Libya in any way condoned human rights violations.

38. *A recorded vote was taken on draft resolution A/C.3/65/L.49.*

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Cape Verde, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Gambia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Republic of Moldova, Romania, Rwanda, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Against:

Afghanistan, Algeria, Armenia, Azerbaijan, Bahrain, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, China, Comoros, Cuba, Democratic People's Republic of Korea, Egypt, Eritrea, Guinea, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Myanmar, Nicaragua, Niger, Oman, Pakistan, Qatar, Russian Federation, Senegal, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Tunisia, Turkmenistan, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Barbados, Benin, Bhutan, Brazil, Burkina Faso, Burundi,

Cambodia, Cameroon, Central African Republic, Colombia, Congo, Côte d'Ivoire, Djibouti, Ecuador, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, India, Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Malawi, Mali, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nigeria, Paraguay, Philippines, Republic of Korea, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, South Africa, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Uganda, United Republic of Tanzania, Uruguay, Zambia.

39. *Draft resolution A/C.3/65/L.49 was adopted by 80 votes to 44, with 57 abstentions.*

40. **Ms. Riley** (Barbados), speaking in explanation of vote, said that her country's position on country-specific resolutions on human rights remained unchanged. Barbados remained highly concerned about the highly political and divisive nature of the debate surrounding those resolutions and the selective targeting of certain Member States. That approach was neither constructive nor productive. It was through cooperation and dialogue rather than condemnation and isolation that progress in the field of human rights would be achieved and to that end, the Human Rights Council must be the forum in which the United Nations addressed human rights issues.

41. **Mr. Kodama** (Japan), speaking in explanation of vote, said that, although his country welcomed Iran's commitment to improving its human rights record, Japan had voted in favour of the resolution on the grounds that further improvement was required. Japan remained very concerned about restrictions imposed by Iran on fundamental rights and freedoms, its treatment of detainees and the execution of persons who, at the time of their offences, had been under 18 years of age. However, Japan also commended Iran for signing the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict as well as the Government's agreement to accept the recommendations of the Human Rights Council under the universal periodic review. Japan hoped that Iran would follow up on those recommendations and would continue to engage in dialogue on human rights with Japan and the international community. It had therefore declined to join the sponsors of the resolution and would continue its dialogue with Iran with a view to improving its human rights situation.

42. **Mr. de Sélles** (Brazil) said that his delegation had abstained from voting on the draft resolution. It noted with concern the situation of human rights in the Islamic Republic of Iran, in particular the situation of women, which was marked by gender disparity, discriminatory laws and gender-based violence. The need for protection of the rights of minorities, members of the Baha'i International Community in particular, and the importance of protecting civil and political rights and human rights defenders was also of concern. His delegation welcomed legal reforms undertaken by Iran and its increased cooperation with the United Nations, including its participation in the universal periodic review, and expressed the hope that Iran would ratify the international human rights treaties to which it was not a party.

43. In the view of his delegation, the process that produced country-specific resolutions must improve. Those resolutions were the only ones that did involve open and transparent consultations in the Committee. The way some human rights situations were highlighted and not others was perceived as reinforcing a selective and politicized approach to human rights. The Human Rights Council was the body best equipped to examine human rights situations in a truly multilateral and non-politicized manner.

44. **Mr. Fiallo** (Ecuador) said that his delegation fully endorsed the work of the Human Rights Council and rejected the politicization of human rights. The Council must look at all countries without any geographical distinction, double standards or political motivations. Consequently, his delegation did not support country-specific draft resolutions and had abstained from voting.

45. **Mr. Larijani** (Islamic Republic of Iran) said that the high number of abstentions and votes against the draft resolution demonstrated the lack of support among a majority of member States and indicated that measures were needed to prevent the abuse of the United Nations human rights mechanisms. The adoption of country-specific resolutions by the Committee was damaging to the spirit of cooperation and constituted abuse of the human rights system by States that were themselves flagrant abusers of human rights. The draft resolution specifically targeting his country carried the hidden political agenda of certain

countries and was completely out of touch with the reality on the ground.

Agenda item 63: Report of the Human Rights Council (*continued*)

Draft resolution A/C.3/65/L.57: Report of the Human Rights Council

46. **Mr. Diallo** (Mali), introducing the draft resolution on behalf of the Group of African States, said that the report contained important recommendations with respect to key human rights issues. The Group hoped for the adoption of the resolution by consensus and encouraged all member States to become sponsors.

47. **The Chair** announced that India had become a sponsor of the draft resolution.

48. **Ms. Bouhamidi** (Morocco), speaking on behalf of States members of the Organisation of the Islamic Conference (OIC), noted the valuable work of the Human Rights Council and underlined the resolutions pertaining to human rights in the occupied Palestinian territory and the right of the Palestinian people to self-determination. It invited all member States to support the draft resolution.

49. **Mr. Apakan** (Turkey) said that the Report of the Human Rights Council and its addendum contained many important resolutions and decisions, including resolution 15/1 on the follow-up to the report of the independent international fact-finding mission on the incident of the humanitarian flotilla. While no separate resolution had been initiated in the General Assembly on the issue, his delegation would revisit its position pending forthcoming developments and in consultation with other interested parties. He invited all member States to support the resolution.

50. **Ms. Furman** (Israel), speaking in explanation of vote before the voting, said that the Council's report and resolutions demonstrated its bias and fixation with Israel, reaffirmed its failure to adhere to its own founding principles and called its integrity and credibility into question. She noted that half of the country-specific resolutions not dealing with technical assistance were targeted at Israel. Her delegation regretted having to call for a vote on the resolution and urged other delegations with a genuine interest in promoting a responsible human rights agenda around the world to voice their concern as well.

51. **Mr. Burnlat** (Belgium), speaking on behalf of the European Union in explanation of vote before the voting, said that it was concerned with the procedural aspects of the initiative. The compromise reached in the General Committee of the General Assembly allowed the Committee to consider and, if necessary, take action on the recommendations of the Human Rights Council to the General Assembly. The European Union believed that member States should be able to express their views on the individual recommendations of the Human Rights Council. A generic resolution taking note of the entire report brought no added value, nor did it respect the compromise reached in the General Committee. It was regrettable that it had not been possible to discuss the procedural and other implications of the text of the draft resolution with the main sponsors in an open meeting.

52. **Ms. Halabi** (Syrian Arab Republic), speaking in explanation of vote before the voting, said that Israel refused to comply with any United Nations resolutions and continued to impede the work of the United Nations Fact Finding Mission on the Gaza Conflict. Moreover, Israeli perpetrators of crimes against humanity continued to boast that they were immune from prosecution. The United Nations must take all necessary measures to investigate Israeli human rights violations that had been documented in the report of the Fact Finding Mission and must prosecute those responsible. Victims of human rights violations deserved justice. Syria would thus vote in favour of the draft resolution.

53. **Mr. Tagle** (Chile) speaking in explanation of vote before the voting, said that his delegation regretted that the draft resolution could not be adopted by consensus. It would vote in favour, without prejudice to its position on any future Human Rights Council resolutions.

54. *A recorded vote was taken on draft resolution A/C.3/65/L.57.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba,

Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands.

Abstaining:

Albania, Andorra, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

55. *Draft resolution A/C.3/65/L.57 was adopted by 119 votes to 2, with 55 abstentions.*

56. **Mr. Michelsen** (Norway), speaking also on behalf of Iceland, Liechtenstein, New Zealand and Switzerland in explanation of vote, said that those countries were strong supporters of the Human Rights Council and its work. They viewed its standing nature which allowed the Council to address emerging situations quickly and the universal periodic review as among its key achievements.

57. Those delegations had, however, abstained in the vote for procedural reasons. In their view, the report of the Human Rights Council should be discussed in the plenary of the General Assembly rather than the Third Committee; furthermore, the plenary should simply take note of the report and its addendum. Member States had taken varying positions on the recommendations contained in the report, and the draft resolution just adopted obscured those carefully considered positions on specific recommendations. Member States were entitled to express their views on individual recommendations made by the Council.

58. **Mr. Pak** Tok Hun (Democratic People's Republic of Korea) said that his delegation had not taken part in the voting because it could not accept the politically motivated resolution of the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea contained in the report of the Council.

59. **Mr. Sammis** (United States of America) said that the report of the Human Rights Council expressed both its strengths and weaknesses. The United States had supported many of its resolutions over the past year, including several concerning human rights situations in individual countries, in particular the extension of the mandate of the Independent Expert on the situation of human rights in the Sudan.

60. Acknowledgement of the report, however, should not be taken as support for the Council's unbalanced and one-sided approach to the situation in Israel and the occupied Palestinian territories. The Council should treat all countries in an unbiased and objective manner. The United States did not support resolutions that singled out the Government of Israel and not the violations of international law intentionally committed by Hamas.

61. Allegations of violations of international law that took place during the Gaza conflict warranted effective domestic follow-up, and Israel had the mechanisms to investigate, including a robust judiciary and the capability for independent review of military operations. The continuing bias against Israel was further evident in the hastily adopted resolution

establishing a fact finding mission with a flawed mandate to investigate the Gaza incident. His delegation commended the panel established by the Secretary-General to review the results of the internal investigations in Israel and Turkey and the spirit of cooperation it represented, and continued to regard that panel as the primary method for the international community to review that incident.

62. The work of his delegation on the Council would continue to be guided by his Government's commitment to the universality of human rights, dialogue, principled engagement and fidelity to the truth.

63. **Ms. Borland** (Belize) said that her delegation had wished to vote in favour of the draft resolution.

64. **Ms. Murillo Ruin** (Costa Rica) said that her delegation had voted in favour of the draft resolution because of its support for the work of the Human Rights Council, but it agreed with other delegations that the Third Committee did not have competence to consider the report as a whole. The five-year review of the status of the Council should clarify that matter for the future.

65. As a draft resolution on the report of the Council with nearly identical language had been adopted the previous year without a vote, her delegation was concerned that the vote just taken could send a message that the work of the Council was being questioned. Her country attached great importance to the work of the Human Rights Council but did not believe that the Third Committee was an appropriate forum for discussion of its report.

66. **Ms. Sunderland** (Canada) said that her delegation welcomed the many elements of the report of the Human Rights Council which pointed to progress. However, it had abstained in the voting based on the belief that follow-up to the report should take place in the plenary of the General Assembly and not the Third Committee. The report also raised concerns over the disproportionate focus in the Council on the Middle East.

67. **Mr. De Leon Huerta** (Mexico) said that his delegation regretted that it had to abstain in the vote on a draft resolution concerning the Human Rights Council, to which it attached great importance, exclusively for procedural reasons. Consideration of the report of the Council in the Third Committee was inconsistent with the decision of the General Committee to assign that report to the Plenary of the General Assembly, which was the appropriate forum. A final decision on that question should be taken as part of the five-year review of the status of the Human Rights Council.

Agenda item 66: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

Draft resolution A/C.3/65/L.53/Rev.1: International Convention on the Elimination of All Forms of Racial Discrimination

68. **Mr. Gustafik** (Secretary of the Committee), referring to paragraphs 15, 16 and 20 of the draft resolution, said that on its adoption, current provisions in the programme budget for the biennium 2010-2011 would provide for Committee members' daily subsistence allowances and conference servicing requirements for the 20 additional meetings per year that the Committee would hold during the biennium 2010-2011, in addition to provisions for travel and per diem costs of the 18 members of the Committee to attend its two annual regular sessions in Geneva of 15 working days each and conference services requirements for the Committee meetings.

69. It was estimated that requirements of $2,149,200 relating to the 40 additional meetings of the Committee would arise during the biennium 2012-2013. Those funds would be considered within the context of the preparation of the proposed programme budget for that biennium and would provide for Committee members' daily subsistence allowances, amounting to $259,600, under Section 23, Human Rights, conference servicing requirements, amounting to $15,200, under Section 28E, Administration, Geneva and conference servicing requirements for the additional 40 meetings amounting to $1,874,400 under Section 2, General Assembly and Economic and Social Council affairs and conference management. The additional meetings would require per session an estimated additional 200 pages of pre-session documentation in four official languages of the United Nations and 30 pages of post-session documentation in all six official languages.

70. It was estimated that the preparation of the report that was called for in paragraph 3 of the draft resolution would amount to $24,000, to be met within

available resources of the programme budget for the biennium 2010-2011.

71. **Ms. Ponikvar** (Slovenia) said that Argentina, Brazil, Bulgaria, Canada, Chile, China, Costa Rica, Cyprus, Ecuador, Estonia, France, Germany, Honduras, Iceland, India, Ireland, Lithuania, Madagascar, Malta, Niger, Nigeria, Norway, Panama, Poland, Republic of Korea, Romania, Slovakia, Spain, Turkey and Ukraine had also joined the sponsors.

72. Pursuant to further consultations, paragraph 15 of the draft resolution had been amended to read "*Decides to extend the authorization to the Committee to meet for an additional week per session, as a temporary measure, in 2012 in order to address the backlog of reports of State parties and additional complaints awaiting consideration*".

73. Agreement had been reached to adopt the amended resolution by consensus, reflecting agreement among Member States on the crucial role of the Convention and the Committee in the fight against racism, racial discrimination, xenophobia and related intolerance.

74. **Mr. Gustafik** (Secretary of the Committee) said that El Salvador, Kyrgyzstan, Nicaragua, Timor-Leste and the Bolivarian Republic of Venezuela had joined the sponsors of the draft resolution.

75. *Draft resolution A/C.3/65/L.53/Rev.1, as orally revised, was adopted.*

76. **Mr. Sammis** (United States of America), referring to preambular paragraph 8 and paragraphs 16 and 20 of the draft resolution, reiterated his country's position that that treaty body expenses should be funded by States parties and not from the regular budget of the United Nations. It was important to support efforts to increase the efficiency of all treaty bodies and improve working methods so that resources were used as effectively as possible. Those efforts played an important role in achieving a sustainable solution in efforts to reduce backlogs.

The meeting rose at 6 p.m.